

Fiscal Estimate - 2003 Session



Original



Updated



Corrected



Supplemental

LRB Number 03-1795/1		Introduction Number AB-367	
Subject Escapes during conditional release			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Decrease Costs	
Local:			
<input checked="" type="checkbox"/> No Local Government Costs			
<input type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village <input type="checkbox"/> Cities	
<input type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts	
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	
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		Date	
		7/16/2003	

Fiscal Estimate Narratives

DHFS 7/16/2003

LRB Number	03-1795/1	Introduction Number	AB-367	Estimate Type	Original
Subject					
Escapes during conditional release					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, DHFS has responsibility for the treatment of individuals who have been found not guilty because of a mental illness (NGI). The Conditional Release (CR) program provides treatment to NGIs who have been either directly placed on conditional release by the court or conditionally released from mental health institutions. Individuals on Conditional Release live in the community, generally in CBRFs when they are first released, and then in other living arrangements. The Department funds the costs of conditional release for individuals who have no income.

Some clients on CR qualify for Medicaid (MA), which will pay a portion of their treatment, housing and medical costs. Individuals serving sentences in correctional facilities are not eligible for Medical Assistance.

Under this bill, individuals on CR who escape from a CBRF would be subject to criminal penalties and may be sentenced to a term of imprisonment of up to six years. Under current law, an NGI who escapes from a CBRF is returned to a DHFS institution. If escape from a CBRF becomes a criminal act, it is possible that the CBRFs will have to institute security measures which could cause them to be classified as secure residential facilities. If this occurs, it is possible that NGIs who reside in CBRFs may no longer be eligible for Medicaid.

In FY 02 the Department collected \$1,840,800 from the federal government in MA payments for individuals on conditional release. Currently 17% of NGIs on conditional release live in CBRFs. It is assumed that at least 17%, or \$300,000, of the total MA payments for individuals on CR was made on behalf of CBRF residents. If CBRF residents become ineligible for MA, the Department will lose up to \$300,000 annually in federal funding that will have to be replaced by state funds.

This bill is unlikely to result in any savings to the Department. Under the bill, individuals who are on conditional release who are returned to a correctional facility after escaping would have to finish serving their NGI sentence after release from this facility.

Long-Range Fiscal Implications